

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Karen Thomas, Development Review Specialist
MBR Maxine Brown Roberts, Associate Director, Development Review
DATE: March 30, 2026
SUBJECT: **ZC Case 20-06E** – Request for a Time Extension for a Consolidated and Stage 1 Planned Unit Development at 1333 M Street, S.E.

I. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission **approve** a second, one-year time extension of the deadline to file a building permit for the approved PUD, extending the date to April 23, 2027. This would be the second extension for the PUD. If approved, construction would be required to begin by **April 23, 2027**.

II. PROJECT SUMMARY

Applicant:	Felice Development Group
Address:	1333 M Street, S.E. (Square 1048-S, Lot 2)
Ward / ANC	Ward 6/ANC 6B
Project Summary:	Two buildings with one tower are in the Consolidated PUD. An additional tower in the first building and a second separate building comprise the Stage I PUD (See Fig. 1). The PUD, with a related map amendment from the PDR zone to MU-9 zone, would include: <ul style="list-style-type: none"> - 879 dwelling units, with 12% being IZ units; - 25,000 square feet of retail space; - 6.17 overall FAR; and - 304 parking spaces.
Order Effective Dates:	Order 20-06 , Effective April 23, 2021. 20-06A Technical correction, Effective October 7, 2022. 20-06B Modification Of Consequence. Effective April 7, 2023. 20-06D , Modification without Hearing. Effective October 17, 2025
Previous Extension:	20-06C – Two Time Year Extension with a deadline to file a building permit by April 23, 2025 and construction to begin by April 23, 2026.
Order Expiration Date:	April 23, 2026
Requested Extension:	One year extension in which to begin construction by April 23, 2027.

III. EVALUATION OF EXTENSION REQUEST

Subtitle Z, § 705.5

An applicant may request no more than two extensions of an approved PUD, with the second extension limited to one year ([Subtitle Z § 705.5](#)). The Zoning Commission granted a two-year extension under Order 20-12C with a deadline of April 23, 2025 to file a building permit and April 23, 2026 to begin construction. The Applicant states that on or about January 21, 2025, a building permit application was submitted for the East Tower (B2503238), consistent with the extension. The Applicant anticipates that all necessary building permits will be issued in late first or second quarter of 2026 with construction beginning in the summer or fall of 2026. The Applicant anticipates an additional year will be required to secure investor commitments and obtain a construction loan.

Subtitle Z § 705.2 allows for the extension of a PUD for “good cause” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the Zoning Commission determines that the following requirements are met:

(a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond.

Exhibit 2, page 8 notes that ANC 6B, the only party to the case, was served on March 4, 2026.

(b) There is no substantial change in any of the material facts upon which the Commission based its original approval of the application that would undermine the Commission’s justification for approving the original application.

Zoning Regulations:

The PUD application was considered under the 2016 zoning regulations. There have been no substantive changes to the Zoning Regulations since the PUD was approved that would impact the approved project.

Comprehensive Plan:

There have been no substantial changes to the Comprehensive Plan since the PUD’s modification which became effective on April 7, 2023. The current FLUM indicates the site is appropriate for High Density Residential /Medium Density Commercial use. The density and uses of the approved PUD and its PUD-related MU-9 map amendment are consistent with the current designation.

Surrounding Development:

The Zoning Commission approved modifications of consequence under ZC 20-06B which increased the required residential square footage, decreased the permitted retail space and increased the parking minimums. However, as there has been no new development near the site since the project’s approval, there has been none that would affect the material facts on which the PUD was approved.

(c) The applicant demonstrates with substantial evidence one (1) or more of the following criteria:

- (1) An inability to obtain sufficient project financing for the development, following an applicant’s diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant’s reasonable control.**
- (2) An inability to secure all required governmental agency approvals for a development by the expiration date of the order because of delays in the governmental agency approval process that are beyond the applicant’s reasonable control; or**
- (3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant’s reasonable control that renders the applicant unable to comply with the time limits of the order.**

The applicant’s previous extension cited several pandemic and national economic conditions related to criteria (c) (1) and (c) (3) and the extension request was approved by the Commission. These conditions delayed all aspects of the project, requiring the applicant to return to the Commission for project modifications and a two-year extension in 2023.

Since then, there has been dramatic increases in construction costs and hesitancy in lending in the construction arena which have led to increased costs and financing rates and a lack of available loans. However, the Applicant progressed through the permitting process and has remained in compliance with the PUD approval.

The requested one-year extension serves as a limited safeguard, by providing investors some time for the markets to stabilize and to advance a project that is otherwise ready to proceed. This extension will allow the Applicant to begin construction once financing is finalized. **OP therefore supports** the requested one-year time extension.

IV. DISTRICT AGENCIES COMMENTS:

There are no agencies’ comments at the writing of this report.

V. ANC COMMENTS

ANC 6B, the only party to the case, had not filed a comment at the time of OP’s report.

VI. COMMUNITY COMMENTS

There were no comments in the file at the writing of this report.

Attachment:

Location and Site Plan

Location and Site Map



Approved PUD ZC 20-06. Consolidated PUD (Light Green). Preliminary PUD (in White)